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10/647,132	08/25/2003	John L. Gainer	4112-7	3899
23117 7590 01/12/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
CARR, DEBORAH D				
ART UNIT		PAPER NUMBER		
1621				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10647132	8/25/2003	GAINER ET AL.	4112-7

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ART UNIT	PAPER
1621	20100107

DATE MAILED:

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## Commissioner for Patents

1. The information disclosure statements filed 11/13/2009, 11/16/2009, 12/07/2009, 12/7/2009, & 12/14/2009 fails to comply with 37 CFR 1.97(d) because it lacks a statement as specified in 37 CFR 1.97(e). It has been placed in the application file, but the information referred to therein has not been considered.
2. While there is a reference to 37 CFR 1.97, a proper statement under 37 CFR 1.97 (e) has not been provide wherein applicants state either:
  - (1) that each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement, or
  - (2) that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the statement.

/Deborah D Carr/  
Primary Examiner  
Art Unit: 1621